

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

STEVE VANKESTEREN,

Plaintiff,

v.

Civil Action No. 2:11cv416

STEVE GARVIS, et al.,

Defendants.

NOTICE TO PLAINTIFF

Contemporaneously with the service of this Notice, the defendants have filed and served a motion entitled Defendants' Motion to Dismiss and a memorandum in support thereof.

Pursuant to the requirements of Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), and Local Civil Rule 7(K), promulgated by the United States District Court for the Eastern District of Virginia, the plaintiff is herewith notified and warned that:

1. The plaintiff is entitled to file a response opposing the defendants' motion. Any such response must be filed within twenty-one (21) days of the date on which the defendants' motion was filed.

2. The Court could dismiss this action on the basis of the defendants' motion if the plaintiff does not file a response. If the Court dismisses this action or enters judgment for the defendants, the case will be concluded and the Court will have decided this case against the plaintiff.

3. In any response you file, you must identify all facts stated by the defendants with which you disagree and must set forth your version of the facts by offering affidavits (written statements signed before a notary public and under oath) or by filing sworn statements (bearing a

certificate that is signed under penalty of perjury) of your own and of any other witness and/or by submitting other responsive materials, as appropriate.

4. You are also entitled to file a legal brief in opposition to the one filed by the respondent.

Respectfully submitted,

NEIL H. MACBRIDE
UNITED STATES ATTORNEY

By: _____/s/
Joel E. Wilson
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CERTIFICATE OF SERVICE

I hereby certify that, on the 17th day of October 2011, I will mail copies of the foregoing Notice to Plaintiff and the NEF by U.S. mail, postage paid, to the following non-filing user(s):

Steve VanKesteren
17500 Poplar Cove Road
Onancock, VA 23417

/s/
Joel E. Wilson
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